CR 154

(3)

Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CG)

C.R.No. 213 2004

(Memorandum of Civil Revision U/s 115 of C.P.C.)

APPLICANTS
PLAINTIFS

:1. Anand Ram S/o Khema Kolta, aged about 35 years, resident of Tilaipali, P.S. Tamnar, Tehsil Gharghoda, District Raigarh (CG).

2. Khema Kolta S/o Shri Ram Kolta, aged about 75 years (DEAD).

P.R. No. 2235/CC
Presented by Shri Sunil Sahu
dated 11/11/04

Versus

NON-APPLICANTS
DEFENDANTS

:1. Pichhalu Ram S/o Tirtho Ram Kolta, r/o Village Tilaipali, Tehsil Gharghoda District Raigarh.

2. State of Chhattisgarh, through the Collector, Raigarh (CG).

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11-10-04
Clerk to A.G. Bilaspur

MEMORANDUM OF CIVIL REVISION UNDER SECTION 115 OF C.P.C.

...der dated 15.7.2004 passed by
...il Judge

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक C.R. 213/04 **सन्** 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	24/03/2005 Smt. Indira Tripathi, counsel for the applicants. Heard. The applicants have preferred this revision against the impugned order dated 15/07/2004 passed by First Civil Judge Class-I, Raigarh at Gharghoda in MJC No. 01/2004 by which the application under Order 9 Rule 9 of CPC filed by the applicants has been dismissed on the ground that the reason assigned by the applicants by filing application belatedly under Section 5 of the Limitation Act is not proper and bonafide. Learned counsel for the applicants seeks to withdraw this revision as the same is not maintainable in view of the proviso to Section 115 of CPC and in view of the law laid down by the Hon'ble Apex Court in the case of ***Surya Devi Rai Vs. Ram Chander Rai and Others reported in (2003) Vol. 6, SCC 675 as well as in the case of Shiv Shakti Coop. Housing Society, Nagpur Vs. Swaraj Developers and Others reported in (2003) 6 SCC 659***, the revision is not maintainable and seeks to withdraw the same with liberty to file appropriate proceedings available under the law. Prayer is allowed and the revision is dismissed with liberty as prayed for. **Sd/-** **Dhirendra Mishra** **Judge**	

(पीछे देखिये)